



Entered on Docket
September 20, 2010

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Wells Fargo Bank, N.A.
10-72944

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:	Bk Case No.: 09-32828
Michael L. Eliaers and Christy Eliaers	Date: 09/01/2010 Time: 10:30 am
Debtor	Chapter 13

1 **ORDER VACATING AUTOMATIC STAY**

2 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the
3 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to
4 Secured Creditor Wells Fargo Bank, N.A., its assignees and/or successors in interest, of the subject
5 property, generally described as 2334 Weynburn Court, Henderson, NV 89074.

6 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
7 Debtor at least seven business days' notice of the time, place and date of sale.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby
9 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of
10 the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured
11 Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.
12

13 Submitted by:

14 
WILDE & ASSOCIATES

15 By: _____
16 **Gregory L. Wilde, Esq.**
17 Attorney for Secured Creditor

18 **APPROVED / DISAPPROVED**

19 By: _____
20 George Haines
21 Attorney for Debtor(s)

22 **APPROVED / DISAPPROVED**

23 By: _____
24 Rick A. Yarnall
25 Chapter 13 Trustee

26

1 In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately
 2 reflects the court's ruling and that (check one):

- The court has waived the requirements set forth in LR 9021(b)(1).
- No party appeared at the hearing or filed an objection to the motion.
- I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and
 4 any unrepresented parties who appeared at the hearing, and each has approved or
 5 disapproved the order, or failed to respond, as indicated below [list each property and
 whether the party has approved, disapproved, or failed to respond to the document]:
 6
- I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the
 7 motion pursuant to LR 9014(g), and that no party has objected to the form or content of the
 8 order.

9 Debtor's counsel:

- approved the form of this order disapproved the form of this order
- waived the right to review the order and/or failed to respond to the document
- appeared at the hearing, waived the right to review the order
- matter unopposed, did not appear at the hearing, waived the right to review the order

10 Trustee:

- approved the form of this order disapproved the form of this order
- waived the right to review the order and/or failed to respond to the document

11 This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
 12 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented
 13 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to
 14 respond, as indicated below.

15 Debtor's counsel:

- approved the form of this order disapproved the form of this order
- waived the right to review the order and/or failed to respond to the document
- appeared at the hearing, waived the right to review the order
- matter unopposed, did not appear at the hearing, waived the right to review the order

16 Trustee:

- approved the form of this order disapproved the form of this order
- waived the right to review the order and/or failed to respond to the document

17 I certify that I have served a copy of this order with the motion, and no parties appeared or filed
 18 written objection.

19 Submitted by:

20 /s/ Gregory L. Wilde, Esq.

21 Gregory L. Wilde, Esq.

22 Attorney for Secured Creditor